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June 17, 2002

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., Room TWB-204
Washington, DC 20554

RE: Application by Verizon-New Jersey Inc. for Authorization To Provide In-Region,
InterLATA Services in the State of New Jersey, Docket No. 02-67

Dear Ms. Dortch:

This responds to AT&T's June 17, 2002 ex parte letter in which AT&T claims that, at 10:30 AM this morning, one of its employees used Verizon's Website to sign up for Verizon's SmartTouch long distance service in New Jersey.

1. By way of background, SmartTouch is a pre-paid long distance service plan. Only a small percentage of Verizon's long distance customers subscribe to SmartTouch.

2. As an initial matter, Verizon's Websites consistently have made clear that it did not provide long distance service in New Jersey. That was true both of Verizon's main Website (www.verizon.com) as well as of the Website for Verizon Long Distance (www.verizonld.com). See Attachment A. Moreover, if a customer attempted to order long distance service in New Jersey she initially would have received a Web page informing her that Verizon did not offer long distance service in New Jersey. See id. In addition, if a customer nonetheless attempted to enter a service order for New Jersey on any of these various Websites – with the exception of the SmartTouch page (discussed below) – she would have received back a notice saying that service was not available in New Jersey.

3. In the case of SmartTouch, by the time a customer accessed the SmartTouch Web page (www.getsmarttouch.com) to submit ordering information, she would have been informed that Verizon did not provide long distance service in New Jersey *at least three times* before she was able to complete a service order. AT&T admits that it saw this message on at least one

occasion – on the very first screen that appeared after it clicked “Add Verizon Long Distance” on Verizon’s homepage. As shown in the attached print-out of that screen, within three inches of where AT&T entered its telephone number, it read that “Verizon long distance will not carry long distance calls originating in . . . New Jersey.” Attachment A, page 1. AT&T fails to mention that a similar message would have appeared again on the SmartTouch page. The screen describing SmartTouch states that, “[u]ntil government approval is obtained, Verizon Long Distance will not carry long distance calls originating in . . . New Jersey.” Attachment A, page 3. That same screen also states that “SmartTouch from Verizon is currently available to residents in the following states,” which goes on to provide a list of states that does not include New Jersey. Id.

4. Until today, there was a limited period of time in which a defect in the SmartTouch Web page would have allowed a customer that ignored the repeated disclaimers to submit ordering information. If a customer did so, Verizon’s Website would automatically have generated a confirmation notice back to the customer. But, even in that circumstance, long distance service would not have been provisioned to the customer. Based on current records, it appears that only eight users even attempted to submit ordering information for SmartTouch in New Jersey during that limited period in which the defect permitted it, and most of those attempts appear to be tests – including at least five by Verizon employees – that occurred after AT&T filed its letter with the Commission. All of these customers have since received an e-mail notification (like the one contained in Attachment B) informing them that Verizon is unable to provision their orders because it does not yet have authority to provide long distance service in New Jersey.

5. To respond to this incident, Verizon has temporarily deactivated its SmartTouch Web page. Customers that attempt to sign up for long distance service in New Jersey will immediately be directed to a Web page that states “[c]urrently Verizon does not offer long distance service in the state you have selected.” Attachment A, page 5.

6. Finally, AT&T has attached a letter that Verizon sent to customers in the former GTE territory in Virginia. As Verizon has previously discussed with the Commission, Verizon had initiated a new marketing campaign in the former GTE service areas, most of which are outside the former Bell Atlantic territory. Although Verizon intended to exclude from this campaign all customers in states where Verizon cannot provide long distance service, the mailings were inadvertently sent to approximately 2,000 customers in the former GTE territories in Virginia. Verizon has already sent a corrective letter to each of these customers informing them that Verizon is not yet authorized to provide long distance service in New Jersey. Attachment C is a copy of that corrective letter.

For the foregoing reasons, AT&T’s recent ex parte does not in any way buttress its request for an Emergency Motion seeking to delay or deny Verizon’s Application.

Sincerely,

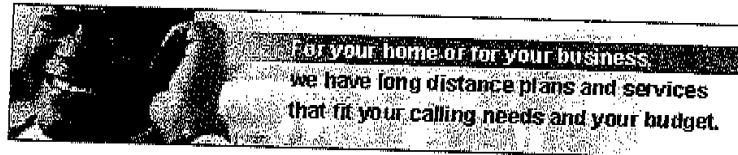
Michael Glover/jel

ATTACHMENT A



Verizon Long Distance

Search
keyword
[Advanced Search](#)

[Key resource](#)[Plan Compari](#)[Exclusive O](#)[Sign up for](#)

- No monthly
- No monthly



Quickly View Verizon Long Distance Plans

Verizon offers long distance plans and services that fit your needs and budget. Enter the information below to learn more about the plans we have offered.

1 Simply start by entering your area code and the first three digits of your telephone number.

OR Select a state

2 Specify if this long distance will be for a:

☒ Home OR ☐ Small Business

[continue](#)

Verizon Long Distance provides long distance services for calls originating in most states outside the mid-Atlantic and New England states. Until government approval is obtained, Verizon Long Distance will not carry long distance calls originating in Maine, New Hampshire, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, West Virginia, Alaska or in instances where the called party has selected a long distance carrier for toll-free, private line or equivalent calls terminating in these areas.


[# Directory](#) [✉ Contact us](#)

Introducing SmartTouchSM long distance

Lets you buy in advance and save in adv

[Explain It](#)
[Experience It](#)
[Ask It](#)
[Buy It](#)
[My SmartTouch Account](#)


- SmartTouch from Verizon gives you complete control over your long-distance spending
- Low rate of 8¢ per minute (state-to-state calls) with no monthly fees, taxes or additional charges — *Everything* is included in your price per minute
- \$20 equals \$20 of calling time — unlike other plans where the additional costs really add up
- Your SmartTouch account never expires — your balance carries over month-to-month

SmartTouch saves you even more!

Updated comparison			
	Verizon SmartTouch	7¢ Plan With Monthly Fees	5¢/10¢ Plan With Monthly Fees
Long distance calls	\$20	\$20	\$20
Monthly plan fee	None	\$3.95	\$5.95
Fee for receiving local and long distance charges on a single bill	None	\$1.50	\$1.50
Federal tax	Included	\$.76	\$.82
State tax	Included	\$.21	\$.29
Universal service fund	None	\$2.51	\$2.71
Total cost for \$20 of long distance calling	\$20	\$28.93	\$31.27
SmartTouch monthly savings vs. other plans		\$8.93	\$11.27
Yearly savings		\$107.16	\$135.24

Notations:

- Rates advertised as of 08/09/01
- Calculations based on Federal Tax = 3%, Average State Tax of 4%. State Tax rate based on composite average from actual billing data (source: PNR)
- Universal Service Fund based on 9.9%



- Unlike some long distance carriers, Verizon does not impose a fee of \$1.50 to receive your local and long distance charges on a single bill.

Click here for more information about SmartTouch

***SmartTouch from Verizon is currently available to residents in the following states:**

Arizona, California, Connecticut, Florida, Hawaii, Idaho, Illinois, Massachusetts, Michigan, Minnesota, Missouri, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Washington, Wisconsin.

Remaining states will be added in the near future.

Verizon Long Distance provides long distance services for calls originating in most states outside the mid-Atlantic and New England states. Until government approval is obtained, Verizon Long Distance will not carry long distance calls originating in Maine, New Hampshire, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, West Virginia, Alaska, or in instances where the called party has selected a long distance carrier for toll-free, private line or equivalent calls terminating in these areas.

Verizon Long Distance

For your home or for your business, we have long distance plans and services that fit your calling needs and your budget. You can connect easily and affordably to live life and do business the way you want.

Product offerings can vary by state or within a state. So that we may provide you with the most accurate information for your location, please provide the area code and first three digits of your phone number.

Step 1

- - ####

Or, select a state:

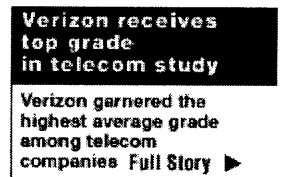
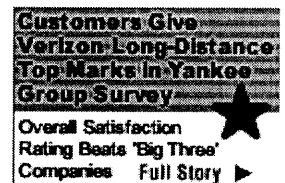
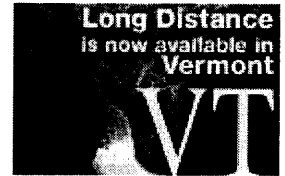
Step 2

Long distance phone service is for:

- ☐ Home ☐ Business or Organization

[continue](#)

Verizon Long Distance provides long distance services for calls originating in most states outside the mid-Atlantic and New England states. Until government approval is obtained, Verizon Long Distance will not carry long distance calls originating in Maine, New Hampshire, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, West Virginia, Alaska or in instances where the called party has selected a long distance carrier for toll-free, private line or equivalent calls terminating in these areas.





Verizon Long Distance

Thank you for your interest in Verizon Long Distance service.

Currently Verizon does not offer long distance in the state you have selected. We are working on gaining the necessary state and federal permissions to offer long distance within your state. We look forward to serving your long distance needs in the near future.

If you would like us to contact you when service becomes available, please complete and submit the form below.

Phone number:

Service Type: ☒ Residential ☐ Business

Title: ☐ Mr. ☐ Ms. ☐ Mrs. ☐ Miss ☐ Dr. ☒ None

First Name: MI:

Last Name:

Organization:

Address:

City:

State: Other:

Zip/Postal Code:

E-mail:

Long Distance service provided by Verizon Long Distance.

ATTACHMENT B

orders@getsmarttouch.com

To: [REDACTED]
cc:
Subject: Your SmartTouch Order

06/17/2002 02:54 PM

Dear [REDACTED] :

We are unable to provision your order for SmartTouch in New Jersey.

Currently Verizon does not offer long distance in New Jersey. We are working on gaining the necessary state and federal permissions to offer long distance within your state. We look forward to serving your long distance needs in the near future.

ATTACHMENT C

Dear (Mr/Mrs. Sample)

Recently, Verizon Long Distance sent you some promotional materials regarding our business long distance offerings. Unfortunately, we have not yet been authorized to provide long distance service in Virginia and the materials sent to you and other Virginia businesses were sent in error.

We apologize for any confusion this may have caused you and want you to know that we have taken steps to ensure that this will not happen again. Verizon intends to provide long distance to your area in the future and we look forward to telling you about our long distance calling plans at that time.

Please accept our apologies. If you have any questions or concerns, please do not hesitate to call us at 1-866-202-1431.

Sincerely,

A handwritten signature in black ink, appearing to read "Rena M. Taguchi". The signature is fluid and cursive, with the first name "Rena" being the most prominent part.

Rena Taguchi
Executive Director
Business Solutions Group